

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GARY B. JENKINS,

Plaintiff,

v.

CITY OF KLAMATH FALLS,
et al.,

Defendants.

Case Number 05-3036-CO

FINDINGS AND
RECOMMENDATION

COONEY, Magistrate Judge.

The court ordered plaintiff show cause as to why this action should not be dismissed for want of prosecution by filing a report with the Court by March 24, 2006. The court warned the plaintiff that failure to file this report would result in dismissal of the case. Plaintiff did not file a report with the court. Therefore, it is recommended that the case be dismissed for want of prosecution and failure to comply with the court's orders.

This recommendation is not an order that is immediately appealable to the Ninth Circuit Court of Appeals. Any notice of appeal pursuant to Rule 4(a)(1), Federal Rules of Appellate Procedure, should not be filed until entry of the district court's judgment or appealable order. The parties shall have ten (10) days from the date of service of a copy of this recommendation within which to file specific written objections with the court. Thereafter, the parties have ten (10) days within which to file a response to the objections. Failure to timely file objections to any factual determinations of the Magistrate Judge will be considered a waiver of a party's right to de novo consideration of the factual issues and will constitute a waiver of a party's right to appellate review of the findings of fact in an order or judgment entered pursuant to the Magistrate Judge's recommendation.

DATED this ___27___ day of March, 2006.

John P. Cooney
United States Magistrate Judge